C.R.No.438 of 2006.

Present : Mr.U.K.Agnihotri, Advocate for the petitioner.
Mr.Sushil Jain, Advocate for the respondent.

* * *

This is a petition for transfer of proceedings under Section 9 of the Hindu Marriage Act, 1955, filed by the respondent.

An affidavit has been filed by the respondent in the Court today which is to the effect that he has not filed any petition in respect of which the petitioner has invoked the jurisdiction of this Court.

In view of the said affidavit, the petition filed by the respondent under Section 9 of the Hindu Marriage Act, 1955, is ordered to be dismissed.

However, as the respondent has denied that the signatures on the petition, affidavit and power of attorney and alleged the same to be forged one, therefore, the learned trial Court is directed to investigate by itself or through some other agency or person, the forgery, if any, committed and by whom. The learned trial Court shall take appropriate action against the person found guilty, including initiation of criminal proceedings.

The present petition stands dismissed as having been infructuous.

(HEMANT GUPTA)
JUDGE

November 10, 2006
**mohinder*